IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 22529 of 2004

Between:

1 Rayala China Venkatesh, S/o. Peraiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari

District. (Petitioners 1 to 17 are Farmers).
2 Nandipam Veeraiah, S/o. Venkaiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari

District.
3 Nandipam Sarvaiah, S/o. China Peraiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari

District.
4 Rayala Peraiah, S/o. Saibhu,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari

District.
5 Rayala Pedasaibhu, S/o. Pottiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari

District.
6 Nandipam China Venkatesh, S/o. Ramaiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari

District.
7 Pingula Veediah, S/o. Pichaiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari

District.
8 Dola Venkatesh, S/o. Pakeer,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari

District.
9 Nandipam Subbarao, S/o. Siddi Rao,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari

District.
10 Dola Satyanarayana, S/o. Durgaiah,]
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari

District.
11 Nandipam Nageswara Rao, S/o. Ramaiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari

District.
12 Rayala Venkatesh, S/o. Veeraiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari

District.

13 Rayala Prasad, S/o. Veeraiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari

District.
14 Uppati Nagesh, S/o. Somaiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari

District.
15 Nandipam Kumari, W/o. Devithulu,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari

District.
16 Thaluri Veeraju, S/o. Chinnaiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari

District.
17 Rayala Srinu, S/o. Subbarao,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari

District.

(Petitioners 1 to 17 are Farmers.)

... PETITIONERS

AND

1 The Joint Collector, West Godavari District, Eluru.
2 The Revenue Divisional Officer, jangareddygudem, W.G.District.
3 The Mandal Revenue Officer, Jangareddygudem Mandal, Jangareddygudem.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to

Issue any appropriate writ, order or direction preferably a writ in the nature of Certiorari call for the records pertaining to the proceedings of the 2nd respondent, Roc. NO.384/2004/B, Dt. 23.11.2004 and quash the same as being illegal, arbitrary and violative of Article 14 and 300-A of the Constitution of India and consequently suspend the operation of the same by directing the respondents not to dispossess the petitioners in respect of the property in their respective possession.

Counsel for the Petitioners: MR.P.R.K.AMERANDRA KUMAR

Counsel for the Respondents 1 to 3: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for the respondents and with their consent, the writ petition is being disposed of finally at the admission stage.

2. As against the impugned order passed by the second respondent in Rc.No.384/04(B) dated 23-11-2004, it is submitted by the learned Government Pleader and admitted by the learned counsel for the petitioners that an effective alternative remedy by way of revision is available to the petitioners before the Joint Collector concerned.

3. Inasmuch alternative remedy by way of revision is available to the petitioner against the impugned order; I deem it appropriate to dispose of the writ petition with the following directions:

4. The petitioners are at liberty to file revision before the first respondent – Joint Collector, challenging the impugned order passed by the second respondent. On filing of such revision, the first respondent is directed to consider and pass appropriate orders on the revision filed by the petitioners, within a period of

four weeks from today. Till appropriate orders are passed on the revision that may be filed by the petitioners, *status quo* obtaining as on today shall be maintained.

The writ petition is accordingly disposed of at the admission stage.

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N.V. RAMANA, J

December 7, 2004

Note: Furnish copy by wire at partys' costs.

(B/o)

MRR/KSR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1 The Joint Collector, West Godavari District, Eluru.
2 The Revenue Divisional Officer, jangareddygudem, W.G.District.
3 The Mandal Revenue Officer, Jangareddygudem Mandal, Jangareddygudem.

4 Two C.C. s to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT)

5 Two C.D. copies.